



EXPLANATION AND INSTRUCTIONS REGARDING FORM DE 428T, STATEMENT OF CHARGES TO RESERVE ACCOUNT

FORM DE 428T IS NOT A BILL AND A BILL WILL NOT BE SEND AT A LATER DATE

PLEASE READ BEFORE CALLING (Most of your questions will be answered in this form.)	
PURPOSE OF FORM	<p>The enclosed form, DE 428T, is an itemized list of charges to your reserve account. The form covers a one-year period which begins July 1 and ends June 30. Any benefits paid to the claimants after June 30 will appear on the Statement of Charges next year. Charges are based on unemployment insurance benefits paid to claimants for which you were a base period employer. These charges will be used to determine your unemployment insurance contributions rate for the coming year.</p> <p>No further action is needed if you agree with the charges.</p>
FAVORABLE RULING	<p>A favorable ruling will not relieve charges to your reserve account under the following conditions:</p> <ul style="list-style-type: none">• The employer account number on your ruling notice is incorrect.• The claimant's Social Security Number is incorrect.• The Benefit Claim Date is incorrect.• The work separation date is incorrect.• The ruling was issued too late to prevent the charge from appearing on your statement. A charge will appear if the ruling is dated after the second Friday in August. <p>If any of these conditions exist, please read the next section on protest rights.</p> <p>Favorable rulings issued after the second week of August for charges prior to June 30th will not be reflected on this statement. Credits for these rulings will appear on next year's statement. If you wish immediate credit for these charges please read the next section on protest rights.</p>
PROTEST RIGHTS	<p>You should protest charges to your reserve account when:</p> <ul style="list-style-type: none">• You have a favorable ruling with incorrect information.• You were issued a favorable ruling after the second Friday in August for charges on this statement and you wish to receive immediate credit.• You disagree with any of the charges to your reserve account. <p>Your protest will be denied if the basis of your objection is the claimant should not have been allowed to draw benefits or if you failed to respond timely to the original claim notice. The claimant's last employer receives a Notice of Claim Filed, DE 1101C and base period employers receive a Notice of Wages Used for Unemployment Insurance (UI) Claim, DE 1545.</p> <p>If benefit charges appear on your statement that involve an appeal that is still pending, you need not file a protest. If you receive a favorable decision, the charges will be removed from your reserve account.</p>
FILING A PROTEST	<p>Your protest must be in writing and received by EDD <u>within 60 days</u> from the mail date on the statement of charges. To help expedite the processing of your protest, please use the suggested format on the last page of these instructions.</p> <p>If you have a favorable ruling stating your reserve account is <u>not</u> subject to charges, please include a legible copy with your protest.</p> <p>You may request a 60 day extension for filing a protest. The extension request must be in writing and must show good cause for requesting additional time.</p>

PROTEST MAILING	MAIL PROTESTS OR REQUEST FOR EXTENTIONS OF TIME TO FILE A PROTEST TO: Employment Development Department Contribution Rate Group, MIC 4 Post Office Box 826880 Sacramento CA 94280-0001
WHAT TO EXPECT	Due to the volume of protests received, it may be three to nine months before you receive an answer to your letter. If the charges are removed, you will receive an amended Notice of Contribution Rates and Statement of Reserve Account, DE 2088.
ENTRIES ON FORMS	<p>a. PREDECESSOR ACCOUNT NUMBER: If a number appears under PREDECESSOR ACCOUNT NUMBER, it is the account number of a former owner of a business acquired by you. The claimants listed are former employees of that business. Benefits paid to these claimants were based on wages paid by the former owner because the reserve account balance of that business was transferred to you. The amounts charged are now deducted from your reserve account. The information and instructions on these forms apply to you with the same effect as though you were the original employer. (NOTE: Charges for each predecessor account will be listed on separate pages of the DE 428T under your account number.)</p> <p>b. CLAIMANT'S NAME/SOCIAL SECURITY ACCOUNT NUMBER: The name shown may be different or a shorter version of the name used when the claimant worked for you. For UI purposes, all claimants are identified by their Social Security Account Number. The Social Security Account Number on the Statement of Charges should be the same as that reported by you on your quarterly wage reports.</p> <p>c. CLAIM DATE: The date shown is the date that a claim for UI benefits was established.</p> <p>d. CLAIMTYPE: All charges shown are for benefits paid on a UI claim. The codes in this column are for Department purposes only.</p> <p>e. EMPLOYER CHARGE: The amount charged against your reserve account represents your pro-rated share of benefits paid through last June 30. This amount has been deducted from your reserve account. If the amount indicated is followed by a MINUS (-) sign, it means that a previous charge has been removed and this entry reflects a credit to your reserve account.</p> <p>f. CHG CODE: All charges shown are for benefits paid on a UI claim. These codes designate type of UI claim.</p> <p>Blank — a regular UI claim.</p> <p>(1) — Your reserve account was charged because:</p> <ul style="list-style-type: none"> • <u>Benefits</u> were paid <u>prior</u> to the separation date shown on your favorable ruling. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • You reported <u>wages</u> for the claimant <u>after</u> the separation date on your favorable ruling. <p>A favorable ruling will relieve charges only when the <u>benefits</u> are paid <u>after</u> the claimant separated from your employment and the benefits were based on <u>wages</u> paid <u>prior</u> to the claimant's separation from your employment.</p> <p>(3)(6) — UI benefits paid during a Federal extension period. (4)(5) — UI benefits paid during a California extension period. (7)(G) — UI benefits paid to a claimant who filed, and was found eligible for a training extension claim, per Section 1269 of the California Unemployment Insurance Code.</p> <p>g. PGM CODE: A code for Department purposes only.</p>

**ANSWERS
TO YOUR
QUESTIONS**

- Q. How long is a claimant eligible for benefits?
- A. Once a claimant is determined eligible for benefits, they have one year from the date of the claim in which to draw their maximum benefit award.
- Q. How can I be charged this much when the person worked only a short period of time (e.g., hours, day[s], week[s], month[s])?
- A. Your share of the charges is based on wages you reported compared to the total wages reported by all base period employers. The charges are prorated among all base period employers. The total amount of benefits charged to an employer's reserve account, as a result of any one claim, could equal 26 times the weekly benefit award or one half of the base period wages plus \$1, whichever is less.
- Q. Why is my account being charged for people who left my business so long ago?
- A. Benefits paid are based on a prior period of employment. A claim for unemployment insurance is based on wages reported by an employer within a period which could range from 4 to 19 months **prior** to the claim date.
- Q. What is a base period and how is the base period for a UI claim determined?
- A. The amount of unemployment insurance, including extended duration benefits, payable to a claimant is based on their wages during a previous one year period. The base period for a claimant is determined as follows:
- | | |
|--------------------------------|----------------------------------|
| New claim beginning in: | The Base period is: |
| February, March, or April | Year ended previous September 30 |
| May, June, or July | Year ended previous December 31 |
| August, September, or October | Year ended previous March 31 |
| November, December, or January | Year ended previous June 30 |
- Q. Why is my account being charged when the claimant was a temporary or part-time employee?
- A. An employer's reserve account is charged based on wages which were reported as required by the California Unemployment Insurance Code (CUIC). There is no distinction made in the CUIC between wages paid to full-time, part-time, or temporary employees.

AUTOMATED INFORMATION LINE

The Contribution Rate Group now has an automated telephone system to aid in directing your requests for information. Please have your employer account number and your Statement of Charges available when you call.

For information or assistance please call: (916) 322-0507.

EDD is an equal opportunity employer. Accessible formats available. Hearing-impaired persons, please call the California Relay Service, 1-800-735-2929.

SUGGESTED FORMAT FOR FILING WRITTEN PROTEST(S)

EMPLOYER ACCT. NO.: _____

TODAY'S DATE: _____

TOTAL NO. OF PROTESTS: _____

BUSINESS NAME: _____

MAILING ADDRESS: _____

_____ CHECK HERE IF NEW ADDRESS

This is a protest to the Statement of Charges to Reserve Account, DE 428T, dated _____, 19_____,
for the fiscal year ended June 30, 19_____, for the following claimant(s):

SSA NUMBER	NAME OF CLAIMANT	CLAIM DATE	BENEFIT CHARGE AMOUNT
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Please state the reason for each protested claim above:

Your Signature: _____

Your Title: _____

Phone No.: (____) _____

IF YOU HAVE ANY QUESTIONS REGARDING THE DE 428T, PLEASE PHONE: (916) 322-0507.
